



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

**REMEDIAL APPROVAL LETTER**

March 29, 2018

File No. SR-07-0255

Formerly Case No. 2000-044

Joseph Guarnaccia, EHS Remediation Specialist  
BASF Corporation  
100 Park Avenue  
Florham Park, New Jersey 07932

RE: Corrective Measures Implementation Plan Soil Remediation & Capping- Lot 1102  
Volume I, Volume II and Revisions  
Ciba-Geigy facility  
180 Mill Street  
Cranston, Rhode Island  
Plat Map 4 / Lot 1102

Dear Mr. Guarnaccia:

On November 9, 2011, the Rhode Island Department of Environmental Management's (the Department) Office of Waste Management (OWM) amended the Rules and Regulations for the Investigation and Remediation of Hazardous Material Releases (the Remediation Regulations). The purpose of these regulations is to create an integrated program requiring reporting, investigation and remediation of contaminated sites in order to eliminate and/or control threats to human health and the environment in a timely and cost-effective manner. A Remedial Approval Letter (RAL) is a document used by the Department to approve remedial actions at contaminated sites that do not involve the use of complex engineered systems or techniques (e.g. groundwater pump and treat systems, soil vapor extraction systems, etc.).

In the matter of the above-referenced property (the Site), the Department's OWM is in receipt of the following documentation submitted pursuant to the Remediation Regulations in response to the reported release at the Site:

1. Corrective Measures Implementation Plan (Volume I, II & Revisions and Engineered Drawings), received by the Department on March 22, 2018, and prepared by AEI Consultants;

Together these documents fulfill the requirements of Section 8.00 (Risk Management) and Section 9.00 (Remedial Action Work Plan (RAWP)) of the Remediation Regulations.

**The preferred remedial alternative involves excavation, removal and offsite disposal of all PCB contaminated soils and impacted media (greater than 25 ppm) to a hazardous waste disposal facility. Onsite capping of residual PCB contaminated soils (25 ppm or less) with the approved capping design for Lot 1102 as specified in the Corrective Measures Implementation Work**



### **Plan, Revisions and Engineered Drawings.**

Based upon review and consideration of the above referenced documents, the Department approves the Remedial Action Work Plan (RAWP) through this RAL provided that:

1. All work must be performed in accordance with all applicable regulations and the Department approved RAWP.
2. Start of the work described in the Department approved RAWP must be initiated within ninety (90) days of issuance of this RAL.
3. Prior to initiating any remedial activities, the Department shall be provided with a list of all contractors, and their respective contact information, that will be used on Site to complete the remedial work described in the Department approved RAWP. The Department shall be notified, when feasible, a minimum of five (5) working days in advance of any changes in contractors and/or consultants involved with the remedial work on this Site. The notification must be promptly supplied in writing with complete contact information for each new contractor or consultant (including but not limited to company name and address, contact name and address, contact telephone number and e-mail address).
4. All excavated regulated soil, if not approved for encapsulation onsite, shall be disposed of off-site at an appropriately licensed disposal facility in accordance with all local, State, and Federal laws. Copies of the material shipping records and manifests associated with the disposal of the material shall be included along with the Closure Report.
5. Areas of the site where contaminated soils are to be excavated must be staged and temporarily stored in a designated area, as proposed in the RAWP, of the site with proper polyethylene covers. Any stockpiled materials, including clean fill, must be underlain and covered with polyethylene sheeting and be secured at the end of each day with all appropriate erosion and sediment controls to limit the loss of the cover and protect against storm-water and wind erosion (i.e. hay bales, rocks, silt fencing). These appropriate sedimentation and erosion controls must be in place and in proper working order at all times until all disturbed areas are stabilized and capped as proposed. Within reason, the storage location will be selected to limit the unauthorized access to the materials (i.e. away from public roadways/walkways). No regulated soil will be stockpiled on-site for greater than thirty (30) days. In the event that stockpiled soils pose a risk or threat of leaching hazardous materials, a proper leak-proof container (i.e. drum or lined roll-off) or secondary containment will be required and utilized.
6. The OWM no longer requires the submittal of analytical data prior to clean fill being brought to a Site. It is the sole responsibility of the Performing Party and their consultant to analyze the material, certify that the material meets the Department's Residential Direct Exposure Criteria (RDEC), as defined by the Remediation Regulations, for all constituents, and is suitable for use on the Site. The OWM strongly suggests that enough representative samples of the clean fill are collected prior to moving the material to the Site to satisfy the Performing Party and their consultant that the material meets the RDEC. Please note that the OWM reserves its rights to sample the fill, if suspect, to confirm compliance with the RDEC.

7. All regulated soil remaining onsite shall be encapsulated by an engineered control consistent with those described in the Department approved RAWP.

8. Dust suppression techniques (i.e. watering) must be employed at all times during all soil disturbing/handling activities at the site in order to minimize the generation of fugitive dust.

9. Please note that if soil exceeding the Department's Residential Direct Exposure Criteria (RDEC) is to remain onsite then a draft Environmental Land Usage Restriction (ELUR) and Soil Management Plan (SMP) must be submitted to the OWM for review and approval prior to recording.

10. Within sixty (60) days of completion of the work described in the Department approved RAWP, a Closure Report detailing the remedial action and including any disposal documentation shall be submitted to the OWM.

11. Within sixty (60) days of completion of the work described in the Department approved RAWP, the final Department approved ELUR shall be recorded in the City of Cranston Land Evidence Records for the property and a stamped, certified copy returned to the Department within fifteen (15) days of recording. Upon receipt of a copy of the recorded (stamped) ELUR, the OWM will issue a Letter of Compliance.

12. Following recording of the ELUR, the site shall be maintained and annually inspected to evaluate the compliance status of the site with the ELUR. Within thirty (30) days of each annual inspection, an evaluation report shall be prepared and submitted to the OWM detailing the findings of the inspection and noting any compliance violations at the site.

13. Any changes in the activities detailed in the RAWP shall be reported to the OWM by telephone within one (1) working day and in writing within five (5) business days.

14. The OWM shall be notified forty-eight (48) hours prior to initiating the remedial activities at the site associated with the Department approved RAWP.

15. The OWM shall be immediately notified of any site or operation condition that results in non-compliance with this RAL.

At this time, the OWM offers its concurrence with the proposed remedial action for the property. The Department approves the RAWP provided that all activities and procedures detailed in the RAWP are strictly adhered to. Furthermore, this letter continues to place primary responsibility for the construction, operation, maintenance, and monitoring of the approved RAWP and its associated implementation on BASF. As the Responsible Party and Performing Party, BASF is expected to implement the RAWP in an expeditious and professional manner that prevents non-compliance with this RAL and said RAWP, and is protective of human health and the environment.

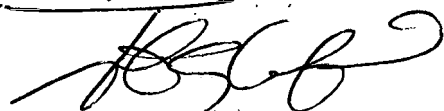
Please note that at this time the Department does not approve the ELUR for recording in the Land Evidence Records with the City of Cranston. Please forward an electronic version of the draft ELUR and the post-construction SMP in red line / strikeout format for Department review and approval. The ELUR and SMP shall be reviewed and approved by the Department, followed by

recording, at the completion of all remedial work.

This RAL does not remove your obligation to obtain any other necessary permits from other local, State, or Federal agencies.

If you have any questions regarding this letter or would like the opportunity to meet with Department personnel, please contact me by telephone at (401) 222-2797, ext. 7102 or by E-mail at [jeff.crawford@dem.ri.gov](mailto:jeff.crawford@dem.ri.gov).

Sincerely,



Jeffrey Crawford, Project Manager  
Principal Environmental Scientist  
Office of Waste Management

Authorized by,



Kelly Owens  
Supervising Engineer  
Office of Waste Management

Cc: Kim Tisa, USEPA TSCA Program  
Frank Battaglia, USEPA RCRA Corrective Action